

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAUNDRA SMITH,

Plaintiff,

v.

RALEY'S,

Defendant.

No. 2:25-cv-00360 AC

ORDER

This case was removed from state court on January 24, 2025, and is before the undersigned for all purposes on the consent of the parties. ECF Nos. 1, 10. Following entry of the consent order, the undersigned set a pretrial scheduling conference to take place on April 2, 2025. ECF No. 11. Plaintiff subsequently filed a motion to remand, set to be heard on the same date. ECF No. 12. The parties submitted their joint statement for the scheduling conference on March 19, 2025. ECF No. 14. In the joint statement, defendant writes that this case "is related to a nearly identical class action that the same Plaintiff and the same lawyers filed against the same single Defendant, Raley's. The class action is currently pending before Judge Troy Nunley in the United States District Court, Eastern District of California, Case No. 2:24-cv-03064-TLN-JDP. Plaintiff also filed a Motion to Remand the class action, which is currently pending before Judge Nunley." ECF No. 14. The undersigned reviewed the motion for remand in this case (ECF No. 12) and the motion for remand in 2:24-cv-03064 TLN JDP (ECF No. 11) and notes they are

1 substantively identical.

2 Eastern District of California Local Rule 123 sets forth the procedure and obligations of
3 counsel in the event of related cases. Per the Rule, cases are related when:

4 (1) both actions involve the same parties and are based on the same
5 or a similar claim;

6 (2) both actions involve the same property, transaction, or event;

7 (3) both actions involve similar questions of fact and the same
8 question of law and their assignment to the same Judge or Magistrate
Judge is likely to effect a substantial savings of judicial effort, either
9 because the same result should follow in both actions or otherwise;
or

10 (4) for any other reasons, it would entail substantial duplication of
11 labor if the actions were heard by different Judges or Magistrate
Judges

12 Local Rule 123(a). In the event counsel is aware there are pending cases that may be related,
13 they are obligated to “promptly file in each action and serve on all parties in each action a Notice
14 of Related Cases. This notice shall set forth the title and number of each possibly related action,
15 together with a brief statement of their relationship and the reasons why assignment to a single
16 Judge and/or Magistrate Judge is likely to effect a savings of judicial effort and other economies.”
17 Local Rule 123(b). It appears to the undersigned that counsel is out of compliance with the Local
18 Rule.

19 Good cause appearing, IT IS HEREBY ORDERED that the parties shall show cause, in
20 writing, within 7 days, why they have not filed a notice of related cases in this case and in 2:24-
21 cv-03064 TLN- DP. The filing of a notice of related cases in both actions within this timeframe
22 will serve as cause and will discharge this order. It is further ORDERED that the hearing set for
23 April 2, 2025, for both the scheduling conference and the motion to remand, is VACATED to be
24 reset if necessary.

25 IT IS SO ORDERED.

26 DATED: March 21, 2025

27 
28 ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE